

sist in the cause of marital harmony, welcoming my wife to this Convention.

*(Applause.)*

THE CHAIRMAN: Delegate Mentzer?

DELEGATE MENTZER: A personal privilege.

Also in the gallery this morning, there are 32 students from the Buckingham Elementary School in Bowie, Prince George's County, with their teacher, Mrs. Marino. These boys and girls live a few blocks from my home and it is always a pleasure to see their bright and shining faces.

*(Applause.)*

THE CHAIRMAN: Are there any other amendments to section 5.01?

*(There was no response.)*

Any amendments to section 5.02?

Delegate Storm.

DELEGATE STORM: If it is in order, Mr. Chairman, I would like to move to strike the word "exclusively" —

THE CHAIRMAN: Has the amendment been printed?

DELEGATE STORM: I was going to ask that we use the minority report amendment and just strike out everything that does not pertain to this particular amendment. I would just get rid of the word "exclusively", which, as Mr. Case said, is implied anyhow.

THE CHAIRMAN: The rule requires that amendments be printed. The Chair will be disposed to ask if there is any objection to considering the amendment without its being printed, with the assurance that it will be printed and be filed with the records of the Convention.

The suggestion is that Section 5.01 be amended by striking the word "exclusively" in line 11. Is there any objection to considering it without the printed amendment being before you?

The Chair hears no objection.

Is there a second to the motion?

*(Whereupon, the motion was duly seconded.)*

THE CHAIRMAN: This will be considered as Amendment No. 3.

Delegate Storm, will you please see that it is printed, so that it is available for us later?

DELEGATE STORM: May I express my appreciation for the gracious way you handled that?

THE CHAIRMAN: Express your appreciation to the house.

Does any one member could object and defeat you.

Delegate Storm, the Chair recognizes you to speak to the amendment.

DELEGATE STORM: The only thing I wish to emphasize is that this is, as Mr. Case said, clearly implied in the language of the present Constitution as well as in this, even though we leave it out. Excess verbiage, especially when it has not been used in the legislative branch, to say that the General Assembly has the exclusive right to legislate, and we have not said it in the executive, that the governor has the exclusive right to be the governor, worries me, and Mr. Case made it very clear that this is implied anyhow.

When we set up a judicial branch, I would feel better about it in the future if we did not make it so exclusive.

THE CHAIRMAN: The Chair recognizes Delegate Mudd.

DELEGATE MUDD: Mr. Chairman, I hesitate to oppose a distinguished friend who advances this amendment, but frankly I do not see the point in the amendment. If he has accepted Delegate Case's explanation that without "exclusive", it means exclusive, and probably because I am a country lawyer from a small town, I just would prefer to have what we mean in there, rather than leave it to be implied possibly once in that direction by some court and again not implied by another court. Therefore, I respectfully oppose the amendment.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

*(There was no response.)*

Does any other delegate desire to speak in opposition to the amendment?

*(There was no response.)*

The Clerk will sound the quorum bell.

THE CHAIRMAN: The question arises on the adoption of Amendment No. 3 to Committee Recommendation JB-1. Amendment No. 3 is to strike out the word "exclusively" on page 1 in line 11 of section 5.01 Judicial Power.